UNIV. OF MICH.
OCT 3 1951
LAW LIBRARY

Calendar No. 787

82D CONGRESS, 1st Session | SENATE | REPORT No. 828

GEORGE FRANCIS HAMMERS

SEPTEMBER 24 (legislative day, SEPTEMBER 19), 1951.—Ordered to be printed

Mr. MCCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 4756]

The Committee on the Judiciary, to which was referred the bill (H. R. 4756) for the relief of George Francis Hammers, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the racial barrier to admission into the United States in behalf of a minor half Japanese child in the custody of United States citizens. The child would be considered to be a nonquota immigrant which is the status normally enjoyed by the alien minor children of citizens of the United States.

STATEMENT OF FACTS

The beneficiary of the bill is a 2-year-old boy born of a Japanese mother and an unknown American father. The child is presently in the custody of Tech. Sgt. John W. Hammers and Mrs. Hammers, who are native-born citizens of the United States.

Congressman A. M. Fernandez, the author of the bill, wrote to the chairman of a subcommittee of the Committee on the Judiciary of the House of Representatives as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 11, 1951.

Hon. FRANCIS E. WALTER,
Chairman, Subcommittee on Immigration, Committee on the Judiciary, House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: On July 10, 1951, I introduced H. R. 4756, a private bill for the relief of George Francis Hammers (Joji Kato), a 2-year-old boy of American-Japanese parentage, the father being unknown.

The bill has been introduced to permit the immigration of the minor child to the United States as a natural-born child of Tech. Sgt. and Mrs. John W. Hammers who are now residing in Tokyo, Japan, where Sergeant Hammers is now stationed at Tachikawa Air Base. Sergeant and Mrs. Hammers are legal residents of Los Lunas, N. Mex.

Sergeant Hammers has been stationed at this base since December 25, 1949, and under rotation plans of the Department of the Air Force it is possible that he and his wife might be returned to the United States any time. Therefore, I will appreciate your consideration of this bill as soon as practicable.

Attached in an effort to aid the committee in their consideration of the bill are the following:

(1) Certified true copy of a statement by Rev. Joseph A. Clougherty who performed the marriage of Sergeant and Mrs. Hammers.

(2) Extracted copy of the census register in Tokyo.

(3) Affirmation by the mother of custody transfer of the child to Sergeant Hammers.

(4) Petition of application for adoption, report of adoption, decree of adoption-decree appointing Lt. George J. Goldsborough, Jr., as guardian ad litem, assumption of guardianship and agreement with St. Odilia Nursery regarding reports on welfare of child.

(5) Personal history statements of Sergeant and Mrs. Hammers.

(6) Seven letters of recommendation concerning Sergeant and Mrs. Hammers.

Please call upon me if I can be of any assistance to the committee in their consideration of this bill.

Thanking you, I remain,
Sincerely yours,

A. M. FERNANDEZ.

The documents referred to in Mr. Fernandez's letter read in part as follows:

I, Rev. Joseph A. Clougherty, hereby certify that on December 13, 1945, at East Pittsburgh, John W. Hammers and Frances R. Reilly were by me united in marriage in accordance with license issued by the clerk of the Orphans' Court of Allegheny County, Pa.

Numbered 10141, Series W.

Rev. JOSEPH A. CLOUGHERTY,
Minister, Alderman, or Justice of the Peace.

A certified true copy:

GEORGE J. GOLDSBOROUGH, Jr.,
First Lieutenant, USAF, Wing Legal Officer, Three Hundred and Seventy-fourth TCW (H), APO 704.

PETITION OF APPLICATION FOR ADOPTION

To: Hachioji Branch of Tokyo Domestic Relations Court.
Name of petitioner: John W. Hammers, technical sergeant, USAF
Permanent address: Route 1, Box 18, Los Lunas, N. Mex.
Present address: Quarters 918–B, Tachikawa Air Base.
Name of petitioner: Frances Regina Hammers.
Permanent address: Route 1, Box 18, Los Lunas, N. Mex.

Present address: Quarters 918–B, Tachikawa Air Base.
Person in question: Joji Kato (George Francis Hammers).
Permanent address: No. 26–2 1-chome, Umaya-bashi, Sumida-ku Tokyo-to, Honshu, Japan.
Present address: Quarters 918–B, Tachikawa Air Base.
Object of petition:

It is petitioned by the undersigned petitioners, John W. Hammers and Frances Regina Hammers, that the judgment of the court be given regarding the permission of the subjected petition which the said petitioners should be legally authorized to adopt Joji Kato (George Francis Hammers), the person in question, who is under full legal age.

Reason for adoption:

To make this child a member of this family to be raised as their natural son. To secure his return to the United States to be raised with good religious training and proper education. This adoption is agreed to by the natural mother of the child, who concurs that the future happiness of this child will be greatly benefited by this adoption.

Attached documents:

Copy of marriage license of the petitioners.
Copy of census register of the person in question.
Certificate of real mother.
Copy of contract between the petitioners and the real mother.

JOHN W. HAMMERS,
Technical Sergeant, USAF.
FRANCES REGINA HAMMERS.

REPORT OF ADOPTION

To: Head of Sumida Ward, Tokyo Metropolitan City.

We, the undersigned, do hereby submit a report of adoption as follows:
Name of foster father: John W. Hammers.
Date of birth:
Permanent address: Route 1, Box 18, Los Lunas, N. Mex., United States of America.
Present address: Quarters 918–B, Tachikawa Air Base, Tachikawa City, Tokyo-to.
Name of foster mother: Frances Regina Hammers.
Date of birth:
Permanent address: Route 1, Box 18, Los Lunas, N. Mex., United States of America.
Present address: Quarters 918–B, Tachikawa Air Base, Tachikawa City, Tokyo-to.
Name of adopted child: Joji Kato.
Date of birth:
Permanent address: No. 26–2, 1–chome, Umaya-bashi, Sumida-ku, Tokyo-to.
Present address: Quarters 918–B, Tachikawa Air Base, Tachikawa City, Tokyo-to.

As a result of this adoption, the said adopted child shall be entered into the census register of John W. Hammers domiciled permanently at Route 1, Box 18, Los Lunas, N. Mex., United States of America.

JOHN W. HAMMERS,
Foster Father.
FRANCES REGINA HAMMERS,
Foster Mother.
GEORGE J. GOLDSBOROUGH, Jr.,
Guardian of the Said Child.

(As Joji Kato, the said adopted child, being under full legal age, the above-signed George J. Goldsborough, Jr., guardian of the said child, acts for him.)

Witnesses:

BETTY DARLENE HARRIS,
1521 Glenarm Street, Denver, Colo., Quarters 405–C, Tachikawa, Japan.
CRYSTAL C. HARRIS,
Route No. 1, Cody, Wyo., Quarters 405–C, Tachikawa.

PERSONAL HISTORY STATEMENT OF JOHN WILLIAM EDWARD HAMMERS

I, John William Edward Hammers, was born on February 16, 1926, in Pittsburgh, Pa.

I attended Swissvale, Pa., public schools and finished grade school. I then entered Swissvale High School and spent the 3 years there, quitting in my junior year.

In June of 1942 I went to work for the Union Switch & Signal Co., Swissvale, Pa. During this time I attended Pittsburgh Academy Night School, finishing my high school education.

On December 27, 1943, I quit the Union Switch & Signal Co. and enlisted in the United States merchant marine. I sailed with the merchant marine as an able bodied seaman till June 1945. On July 3, 1945, I enlisted in the United States Army and was sent to Camp Blanding, Fla. While on furlough I married Frances Regina Reilly on the 13th day of December 1945. In February of 1946 I was sent to France and later on to Germany with the Army of occupation. May 30, 1947, I was discharged from the United States Army in the grade of staff sergeant.

Upon my discharge, my wife and I took up residence in Swissvale, Pa., where I resumed my work at the Switch & Signal Co.

In October 1947, my wife and I moved to Albuquerque, N. Mex., where my oldest brother lived, who was in very poor health.

On April 30, 1948, I reenlisted in the United States Air Force in the grade of staff sergeant. I was stationed at Kirtland Air Force Base until May of 1949, when I was transferred to San Bernardino Air Force Base, Calif. In October of 1949 I was put on an overseas assignment and my wife went to live with my mother in Albuquerque, N. Mex. On December 25, 1949, I arrived at my permanent assignment in Tachikawa, Japan, with the Far East Air Force Command.

April 11, 1950, my wife arrived in Japan and we now reside in the city of Tachikawa, Japan. April 19, 1951, I was promoted to the rank of technical sergeant in the United States Air Force, in which I intend to make a career.

JOHN WILLIAM EDWARD HAMMERS,
Technical Sergeant, USAF.

Subscribed and sworn to before me this 15th day of June 1951.

GEORGE J. GOLDSBOROUGH, Jr.,
First Lieutenant, USAF, Wing Legal Officer.

PERSONAL HISTORY STATEMENT OF FRANCES REGINA REILLY HAMMERS

Frances Regina Reilly Hammers was born on February 24, 1924, in McKeesport, Pa. My mother was Ellen Marie McCombs. My father was James Joseph Reilly.

My mother died when I was seven. I stayed with my grandmother until my Dad remarried again when I was 10.

I attended St. Williams' School (grade school, 8 years). I then entered East Pittsburgh High School for 2 years. My family moved, so I finished high school at McKeesport High.

After graduating I made application for work in several places, my first employment was with the A. & P. Co. of 1 North, Braddock, Pa. During this time I resided with my Dad's sister (Mrs. Edward Canigg), because it was closer to my place of employment. I remained with the A. & P. Co. for a year. Then I secured a better position with the Union Switch & Signal Co. (doing war work). While working there I met my husband. I worked for this company 9 months.

I then quit the Union Switch & Signal Co. and secured an office job with the Westinghouse Electric Co. During this time my husband joined the merchant marine and we became engaged. I worked for the Westinghouse Electric Co. for 2 years and 3 months. In the meantime my husband quit the merchant marine to join the United States Army. We were married on December 13, 1945, while he was home on furlough. In February of 1946, he was sent overseas. I was laid off at the Westinghouse Electric Co., as they laid off all the married women. I went back home to stay with my folks till my husband came back from overseas.

As my husband has written, we took up residence in Swissvale, Pa., until our move to Albuquerque, N. Mex.

While in Albuquerque, N. Mex., my husband reenlisted in the United States Air Force. We were then transferred to San Bernardino, Calif. While stationed there he was put on overseas orders. I went back to stay with his mother in Albuquerque, N. Mex., until my orders came through to join him overseas.

MRS. FRANCES REGINA HAMMERS.

Subscribed and sworn to before me this 15th day of June 1951.

GEORGE J. GOLDSBOROUGH, JR.,
First Lieutenant, USAF, Wing Legal Officer.

OFFICE OF THE CATHOLIC CHAPLAIN,
THREE HUNDRED AND SEVENTY-FOURTH TROOP
CARRIER WING, APO 704,
Care of PM, San Francisco, Calif., May 20, 1951.

To Whom It May Concern:

Permit me to recommend Tech. Sgt. and Mrs. John W. Hammers as suitable parents for the purpose of adopting a child. I believe that they are equipped to give a child the necessary physical, moral, mental, and spiritual attention.

Sincerely in Christ,

WILLIAM E. MAHER,
Chaplain (Captain), USAF, Catholic Chaplain.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 4756) should be enacted.

O